

REMARKS

Applicant thanks the Examiner for the careful consideration given to this application. Reconsideration and allowance are now respectfully requested in view of the above amendments and the following remarks. Claims 1-62 are pending in this application. Claims 1, 10, 20, 21, 30, 34 and 43 are independent claims, and all of these claims have been amended, without prejudice, as have Claims 2-9, 11-19, 22-25, 27-29, 31-33, 35-38, 40-42, and 44-46. New Claims 47-62 have been added. No new matter has been added. Applicant respectfully submits that the amendments and new claims are supported at least by Fig. 3B and page 23 of the present application, as well as other portions of the application as filed.

Claim Rejections Under 35 U.S.C. §103

The Office Action rejects Claims 1-46 under 35 U.S.C. §103(a) as being unpatentable over various combinations of references. In particular: Claims 1-5, 8 and 9 stand rejected based on U.S. Patent No. 7,103,325 to Jia et al. ("Jia") in view of U.S. Patent Publication No. 2002/0132600 to Rudrapatna ("Rudrapatna") and in further view of U.S. Patent Publication No. 2004/0082356 to Walton et al. ("Walton"); Claims 6, 10, 17 and 18 stand rejected based on Jia and Rudrapatna in view of Walton, and in further view of U.S. Patent No. 7,126,926 to Bjorklund et al. ("Bjorklund"); Claim 7 stands rejected based on the combination of Jia and Rudrapatna in view of Walton, and in further view of U.S. Patent No. 7,006,464 to Gopalakrishnan et al. ("Gopalakrishnan"); Claims 11-13 stand rejected based on Jia, Rudrapatna and Walton in view of Bjorklund and further in view of U.S. Patent No. 7,046,651 to Terry ("Terry"); Claims 14-16 and 19 stand rejected based on Jia, Rudrapatna and Walton in view of Bjorklund and further in view of U.S. Patent Publication No. 2004/0219937 to Sugar et al. ("Sugar"); Claim 20 stands rejected based on Jia in view of Walton and in further view of Sugar and in further view of Rudrapatna; Claims 21, 22, 25, 29, 30, 33-35, 38 and 42 stand rejected based on Jia in view of Rudrapatna; Claims 23, 24, 31, 32, 36 and 37 stand rejected based on Jia in view of Rudrapatna and in further view of Walton; Claims 28 and 41 stand rejected based on Jia, in view of Rudrapatna, and in further view of Terry; Claims 43 and 46 stand rejected based on Jia, in view of Sugar, and in further view of Rudrapatna; and Claims 44 and 45 stand rejected

based on Jia in view of Sugar, in view of Rudrapatna, and in further view of Walton. These rejections are respectfully traversed for at least the following reasons.

While not agreeing with the Office Action or the Advisory Action, Applicant has elected to amend independent Claims 1, 10, 20, 21, 30, 34 and 43. As amended, Claim 1 now includes a recitation of “a multi-antenna signal processing circuit situated in a first access point and adapted to: operate with a first baseband processor, so that said first baseband processor handles data transmissions in a first mode between said first access point and a second access point under a first channel transmission condition, without multi-antenna signal processing by the multi-antenna signal processing circuit, and said multi-antenna signal processor handles data transmissions in a second mode between said first access point and said second access point under a second channel transmission condition.” In particular, Claim 1 has been amended to recite that the “first baseband processor handles data transmissions...between said first access point and a second access point under a first channel transmission condition, *without multi-antenna signal processing by the multi-antenna signal processing circuit*” (emphasis added). Applicant respectfully submits that neither Jia nor any of the other cited references discloses or suggests such features.

Jia, noting Figs. 2-5 and their respective descriptions (at cols. 3 ff.), shows and describes a system in which, as noted at col. 3, line 67-Col. 4, line 6, discloses the composition of a base station as shown in Fig. 2, namely, that the base station includes a control system 20, baseband processor 22, transmit circuitry 24, receive circuitry 26, and multiple antennas 28. Jia further states, noting col. 4, lines 37-39, “The multiple antennas 28 and the replicated transmit and receive circuitries 24, 26 provide spatial diversity.” Also, Fig. 2 shows that the baseband processor 22 is connected, in series, to the transmit antennas via transmit circuitries 24 and/or receive circuitries 26 (see, also, Figs. 4 and 5). Hence, there is no mode of operation in Jia in which baseband processor 22 operates without the transmit and/or receive circuitries 24, 26 performing multi-antenna signal processing. Hence, the components of Jia fail to correspond to the claimed components at least because the components of Jia that the Office Action and Advisory Action rely upon to correspond to the claimed multi-antenna signal processing circuit, namely, the transmit/receive circuitries 24, 26 always operate in series with baseband processor

22 to provide multi-antenna processed signals, nor are these components adapted to permit the baseband processor 22 to operate in any mode without such use of these components.

Furthermore, Applicant has not found any teachings in any of the other cited references that would cure these deficiencies of Jia.

It is further noted that independent Claims 10, 20, 21, 30, 34 and 43 have been amended to include recitations similar to those found in amended Claim 1. Hence, for at least the above reasons, it is respectfully submitted that Claims 1, 10, 20, 21, 30, 34 and 43, and their respective dependent claims, are allowable over the cited references.

Disclaimer

Applicant may not have presented all possible arguments or have refuted the characterizations of either the claims or the prior art as found in the Office Action. However, the lack of such arguments or refutations is not intended to act as a waiver of such arguments or as concurrence with such characterizations.

CONCLUSION

In view of the above, consideration and allowance are respectfully solicited.

In the event the Examiner believes an interview might serve in any way to advance the prosecution of this application, the undersigned is available at the telephone number noted below.

The Office is authorized to charge any necessary fees to Deposit Account No. 22-0185.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 22-0185, under Order No. 27592-00275-US6 from which the undersigned is authorized to draw.

Dated: December 1, 2009

Respectfully submitted,

Electronic signature: /Jeffrey W. Gluck/
Jeffrey W. Gluck
Registration No.: 44,457
CONNOLLY BOVE LODGE & HUTZ LLP
1875 Eye Street, NW
Suite 1100
Washington, DC 20006
(202) 331-7111
(202) 572-0322 (Direct Dial)
(202) 293-6229 (Fax)
Attorney for Applicant